



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No. 7

KAM T TAM
3077 PAVAN DRIVE
SAN JOSE, CA 95148

COPY MAILED

APR 30 2004

OFFICE OF PETITIONS

ON PETITION

In re Application of :
Fwu-Iuan Hsieh :
Application No. 09/139,935 :
Filed: August 25, 1998 :
Attorney Docket No. 2154-11 :
:

This is a decision on the petition under 37 CFR 1.137(b), filed April 20, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed December 14, 1999, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained.

Accordingly, the application became abandoned on March 15, 2000.

The above-identified application has been abandoned for an extended period of time. The US Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. At 53160 and 53178; 1203 Off. Gaz. Office at 88 and 103 (responses to comments 64 and 109 (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office)).

The application file is being forwarded to Technology Center 2800, Art Unit 2811 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy